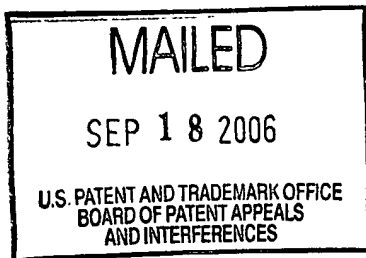


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte ANTHONY J. KONECHI
and
GIRISH A. DIXIT

Application 08/988,686

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on August 24, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below:

On September 27, 2005, the Board remanded this application to the examiner

so that both sides have an opportunity to review the full English translation in taking positions. In so doing, we authorize the examiner to introduce the full English translation officially into the record. If reliance upon the English translation in any way constitutes a new ground of rejection, we authorize the examiner to reopen prosecution of the application. Otherwise, we authorize the examiner to file a Supplemental Examiner's Answer wherein the full English translation is relied upon. In this way, there is no doubt that appellants have been given an opportunity to respond to positions taken with regard to the full English translation.

This remand is made pursuant to 37 CFR § 41.50(a) (1) and (2) (effective September 13, 2004, 69 Fed. Reg. 49960 (August 12, 2004), 1286 Off. Gaz. Pat. Office 21 (September 7, 2004)) [page 4].

On May 19, 2006, a Supplemental Examiner's Answer was mailed to appellants.


Section 1207.05 of the Manual of Patent Examining Practice, Eighth Edition (Rev. 3, August 2005) states that: "[e]very supplemental examiner's answer must be approved by a Technology Center (TC) Director or designee."

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for obtaining the signature of the Technology Center (TC) Director or designee on the Supplemental Examiner's Answer mailed May 19, 2006;
- 2) for notification to appellants regarding the action taken; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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